

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed December 10, 2009. At the time of the Office Action, Claims 1, 3-6 and 8-12 were pending in this Application. Claims 1, 3-6 and 8-12 were rejected. Claims 2, 7 and 13-14 were previously cancelled without prejudice or disclaimer. Applicants respectfully request reconsideration and allowance of all pending claims.

Rejections under 35 U.S.C. § 103

Claims 1, 3-11 and 13-14 were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable by U.S. Patent No. 6,011,537 issued to Benjamin Slotznick ("*Slotznick*") in view of U.S. Patent No. 6,687,737 issued to Rick W. Landsman et al. ("*Landsman*").

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). For example, independent Claim 1 recites:

receiving a plurality of data configured for simultaneous
display from an information source;

...

displaying a first element of the plurality of elements;

...

based at least on the detecting of the trigger, switching
from displaying the first element to displaying a second
element from the plurality of elements;

responsive to switching from displaying the first
element to displaying the second element, starting a timer
having a preset duration; and

automatically preventing switching from
displaying the second element back to displaying the first
element for the preset duration of the timer.

Independent Claim 8 has similar limitations. Applicants respectfully submit that none of the references—*Slotznick* and *Landsman*—either alone or in combination, teach all the limitations of Applicants' claims. As for the first reference, the Examiner appropriately concedes that *Slotznick* does not teach or suggest all of the quoted claim requirements. Office

Action at 3. Applicants will point out particular limitations not taught by *Landsman*, but will first explain a higher-level distinction between *Landsman* and the present claims.

The present claims cover a solution to a problem of using small display screens (e.g., in mobile phones) to display web site content. Many web pages include graphical banner advertisements that are configured for simultaneous display along with web content. On a computer monitor, these banner ads take up just a portion of the “screen real estate” while the remainder of the screen can be used for displaying the web content, which was originally sought by the user. The banner ad was inserted to help the content provider generate revenue, not because the user wanted to see the ad. Unfortunately, when displaying this typical web page on a small screen (e.g., on a mobile phone), the banner ad may consume the entire screen and may actually prevent the user from initially seeing any web content. Thus, the present invention applied to a typical web page may separate the banner ad from the web content and display the content first, without the ad. Then, the display may switch to showing the ad and switch back to showing only the web content. *Landsman*, in contrast, operates in the paradigm of a computer with a large screen and aims at decoupling the ad content from the web page content such that ads and web content may be downloaded independently of each other and ads can be displayed while the user is waiting for a newly requested web page to download and render. With this framework in mind, Applicants will address some specific claim language.

Claim 1 explicitly requires receipt of *data configured for simultaneous display from an information source* and then displaying a first and second element of that data—*both of which were received from the same information source*—consecutively rather than simultaneously. This consecutive display requirement is clear from the claim requirements of *displaying a first element, switching from displaying the first element to displaying a second element*, and *switching from displaying the second element back to displaying the first element*. Thus, the claims are easily distinguished from *Landsman* which discloses displaying data from *different information sources* and doing so “interstitially” in the intervals between displaying data from one source and receiving data from another source.

Landsman explicitly addresses the display of data from different sources. *Landsman* presents a system for decoupling web advertisements (supplied by advertising distribution

HTTP server 15) from web content (supplied by web site (contents) http server 13).
Landsman, Fig. 1B. For example, the Abstract of *Landsman* explains (with emphasis added):

Specifically, an HTML advertising tag is embedded into a referring web page. This tag contains two components. One component effectively downloads, from an distribution web server and to an extent necessary, and then persistently instantiates an agent at the client browser. The other component is a reference, in terms of a web address, of the advertising management system. ***This latter reference totally "decouples" advertising content from a web page*** such that a web page, rather than embedding actual advertising content within the page itself, merely includes an advertising tag that refers, via a URL, to a specific ad management system rather than to a particular advertisement or its content. ***The ad management system selects the given advertisement that is to be downloaded, rather than having that selection or its content being embedded in the web content page.***

At no point does *Landsman* teach or suggest ***receiving a plurality of data configured for simultaneous display from an information source*** and then sequentially displaying one element of that data before switching to a display of a second element. Rather, *Landsman* discusses decoupling web content and advertisements such that while the user is waiting for a newly requested page to display, an advertisement retrieved from ***an independent source*** can be shown in the interstitial period. To the extent that *Landsman* discloses switching display of content from the same source (i.e., the advertisement distribution server), that content was configured for sequential display and ***not configured for simultaneous*** display, as required by the claims.

For at least these reasons, *Slotznick* and *Landsman*, alone and in combination, fail to teach or suggest these limitations of independent Claims 1 and 8 discussed above. Thus, Applicants respectfully submit that Claims 1 and 8 are allowable over *Slotznick* and *Landsman*. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 1 and 8, as well as all claims that depend therefrom.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants respectfully submit a Petition for One-Month Extension of Time. The Commissioner is authorized to charge the fee of \$130.00 required to Deposit Account 50-4871 in order to effectuate this filing.

Applicants believe there are no other fees due at this time. However, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-4871 of King & Spalding L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.457.2031.

Respectfully submitted,
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9/7/2010

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